

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of  
  
Ivan R. Erazo  
  
Respondent

Civil Citation No. 77651  
  
2947 Liberty Parkway

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on June 8, 2010, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 13-7-310, 312; 13-4-201 (b)(d), failure to store trash in cans with tight fitting lids on residential property zoned DR10.5 known as 2947 Liberty Parkway, 21222.

On May 25, 2010, pursuant to § 3-6-205, Baltimore County Code, Inspector Adam Whitlock issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,000.00 (one thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on April 14, 2010 for removal of trash and debris, and storage of garbage in cans with tight lids. A Correction Notice was issued on May 11, 2010 for storage of garbage in cans with tight lids. This Citation was issued on May 25, 2010.

B. Photographs in the file show five garbage cans in the rear yard of this row house, filled with trash and bagged garbage and with no lids. Inspection on May 25, 2010 found lids on two cans, but two open cans overflowing with bagged garbage and no lids. This violates prohibitions against the accumulation of junk, trash and debris on residential property, and prohibitions against creation of possible harborage for rats. BCC Section 13-4-201, Section 13-7-309, Section 13-7-310.

C. Because compliance is the goal of code enforcement, the civil penalty will be reduced if re-inspection finds the violations have been corrected.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$100.00 (one hundred dollars) if re-inspection by July 12, 2010 finds the violation corrected, with all garbage properly stored in cans with tight lids.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 17<sup>th</sup> day of June 2010

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer